

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare - SPSR Nellore District - Alluru Mandal - Singapet Village - Land to extent of Ac.6.05 cents acquired for providing house sites to weaker section people - Sanction of an amount of Rs. 13,02,618/- towards decretal charges as ordered by Hon'ble High Court of A.P. in AS No.1739/98 - Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No.
2009.

Dated.25-9-

Read the following:-

1. From the Collector, SPSR Nellore District Lr. Rc. No.G3/5974/1996, dated 23.01.2009.
2. From the Commissioner of Social Welfare, Hyderabad., Hyd Lr. Rc. No. LA4/1148/2009, dated 18.03.2009.
3. From the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad Lr.No. G2/493/2009, dated 10-06-2009.

ORDER:

The Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad in the letter 3rd read above has stated that the Collector, SPSR Nellore District has reported that an extent of Ac. 15-60 cents bearing Sy. No. 4037/2 in Singapet Village, Allur Mandal, SPSR Nellore District was acquired under Award. No. 5/85, dated 22.01.1985 for providing House Sites to Weaker Section's people duly fixing the land value at Rs.10,000/- per acre. Aggrieved by the said orders, one of the land owners Sri Konda Nagarjuna Reddy has filed a Writ Petition No.1837/85 before the Hon'ble High Court of A.P. and the Court in its order, dated 27.10.1988 has issued orders directing the Land Acquisition Officer to enquire in accordance with Section 5A of the Land Acquisition Act and approve the award afresh. The Land Acquisition Officer again acquired land admeasuring Ac.6-05 which belongs to Sri. Konda Nagarjuna Reddy, and approved the market value of Rs. 12,650/- per acre in Award No. 1/92, dated 25.03.1992 and paid the compensation. The Land Acquisition Officer found that the authorities have paid higher compensation under the previous Award No. 5/85 and proposed to recover the excess amount paid under R.R. Act.

2. The Land owner has again filed W.P. No. 10097/92 and the Hon'ble High Court in its order, dated 13.11.1997 have stated that the compensation paid in accordance with the Award No. 5/85 may be treated as 1st Installment. The Land owner has filed LAOP No. 56/92 u/s 18 of Land Acquisition Act and the Senior Civil Judge Court, Kovur has issued orders on 29.04.1998 enhancing the market value from Rs.12,650/- to Rs.27,000/- per acre. Aggrieved by the orders of Senior Civil Judge Court, Kovur, the land owner Sri Konda Nagarjuna Reddy again has filed A.S. No. 1739/98 and the Land Acquisition Officer also has filed A.S. No. 1678/98 before the Hon'ble High Court. The Hon'ble High Court dismissed the AS No.1678/98 and issued orders in AS No.1739/98, dated.02.07.2008 duly enhancing the land value from Rs.27,000/- to Rs.67,000/- per acre and directed the Land Acquisition Officer to pay the decretal charges, duly deducting the compensation amount already paid to them. The Government Pleader for Appeals, High Court of A.P. Hyderabad has opined

that it is a well considered judgment and extent involved is only A.6.05 cts and do not see any merits in preferring an appeal before the Hon'ble Supreme Court of India. The Commissioner, Legal affairs, O/o Chief Commissioner of Land Administration, AP, Hyderabad, has opined that the appeal suits before Hon'ble Court were disposed off on 02.07.2008. At present the SLP is time barred.

(PTO)

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3. The Chief Commissioner of Land Administration, AP, Hyderabad, has therefore forwarded the proposal of the Collector, SPSR Nellore District / Commissioner of Social Welfare, AP, Hyderabad and requested the Government for sanction of balance decretal charges of Rs.13,02,618/- as per his calculations.

4. In the circumstances stated above, the Government, after careful examination of the proposal hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad to release an amount of Rs.13,02,618/- (Rupees thirteen lakhs two thousand six hundred and eighteen only) to the Collector, SPSR Nellore District, towards decretal charges on the balance of the land value for the land acquired to an extent of Ac.6.05 cents bearing Sy.No.4037/2 of Singapet village, Allur Mandal, SPSR Nellore District, for providing house sites to weaker section's people as ordered by Hon'ble High Court in AS No.1739. of 1998, dated.2-7-2008.

5. The expenditure sanctioned at para (4) above shall be met from the provision available in the Budget Estimates 2009-10 and debited to the following head of Account:-

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes - M.H.283- Housing - GH.11- Normal State Plan - SH (08) - Acquisition of House Sites for weaker sections under INDIRAMMA Programme - 310 - Grants-in-aid 312 - Other Grants-in-aid”.

6. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, SPSR Nellore District accordingly.

7. The District Collector, SPSR Nellore District, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued vide their U.O. Note No.12869/196/A1/Exp.SW/2009, dated.22-5-2009 and U.O.No.15926/256/A1/ Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Spl. CS to Government and Chief Commissioner of Land Administration, AP, Hyderabad.

The Commissioner of Social Welfare, AP, Hyderabad.
The Collector, SPSR Nellore District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, SPSR Nellore District.
The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER